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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,561	09/15/2003	Hua-Chiang Wang	MR2049-354	7980

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EXAMINER

VERDIER, CHRISTOPHER M

ART UNIT PAPER NUMBER

3745

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,561

Applicant(s)

WANG, HUA-CHIANG

Examiner

Christopher Verdier

Art Unit

3745

[Handwritten signature]

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9-15-03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the lattice (claim 3) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "114" (figure 1).

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because it is replete with grammatical errors too numerous to mention in every instance. The following are several examples of defects. The specification should be carefully proofread for additional defects. Appropriate correction is required.

On page 1, lines 7-8 are non-idiomatic.

On page 1, lines 16-18 are non-idiomatic.

On page 2, line 4, -- an -- should be inserted before "anti-back".

On page 2, line 4, "goes" should be changed to -- going --.

Page 3, lines 4-5 are duplicate and should be deleted.

On page 4, lines 9-11, the description of the fan device 32 being mounted to the tapered outer periphery of the ring 24 is inaccurate, because as seen in figure 6, for example, the fan device 32 is not physically attached to the outer periphery of ring 24.

Claim Objections

Claims 2-3 and 6 are objected to because of the following informalities: Appropriate correction is required.

In claim 2, line 2, "enclosing" should be changed to -- encloses --.

In claim 3, line 2, -- a -- should be inserted after "of".

In claim 6, line 3, "tow" should be changed to -- two --.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, line 6, the recitation of the casing mounted to the fan device is inaccurate; the fan device 32 is mounted to the electric motor shaft such that it extends inside of casing 50, but the casing 50 is not mounted to the fan device 32, because the casing is not connected to the fan device. In claim 2, lines 3-4, the recitation of an end of the fan device being mounted to the tapered outer periphery of the ring is inaccurate; as seen in figure 6, for example, the fan device 32 is not physically attached to the outer periphery of ring 24.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, and 8 (as far as they are definite), are rejected under 35 U.S.C. 103(a) as being unpatentable over Ness 2,160,278 in view of Tam 6,705,833. Ness discloses a blower comprising a base 7 having a transverse passage (near 5) defined therethrough, with the transverse passage defining a first hole 32x and a second hole 9 in two opposite ends of the base, a motor 5 received in the transverse passage and a fan device 10 driven by the motor extending from the second hole, and a casing 8 connected to the base and mounted to the fan device, with the casing including an outlet 15. Plural sub-inlets 14 are defined through a wall of the base and the sub-inlets communicate with the transverse passage. However, Ness does not disclose an anti-back device engaged in the outlet, with the anti-back device having a frame to which a plate is pivotably connected, the plate being opened in one direction and sealing the outlet when in an opposite direction, with the frame of the anti-back device being composed of a lattice with the plate pivotably connected to an edge of the frame.

Tam (figures 3-4) shows a centrifugal blower 410 having an anti-back device 420 engaged in the outlet (near 412) of the blower, with the anti-back device having a frame 412 to

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which a plate 420 is pivotably connected, the plate being opened in one direction and sealing the outlet when in an opposite direction, with the frame of the anti-back device being composed of a lattice 412/440, with the plate pivotably connected to an edge of the frame, for the purpose of eliminating reverse airflow through the blower.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the blower of Ness with an anti-back device engaged in the outlet, with the anti-back device having a frame to which a plate is pivotably connected, the plate being opened in one direction and sealing the outlet when in an opposite direction, with the frame of the anti-back device being composed of a lattice with the plate pivotably connected to an edge of the frame, as taught by Tam, for the purpose of eliminating reverse airflow through the blower.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ness 2,160,278 and Tam 6,705,833 as applied to claim 1 above, and further in view of Emery 1,364,360. The modified blower of Ness shows all of the claimed subject matter except for an inlet member connected to the base and composed of a collar and a screen fixed to the collar, with the inlet member covering the first hole of the base.

Emery shows a blower having an inlet member 20 connected to a base 11 having an inlet 18 and composed of a collar 21 and a screen 20 fixed to the collar, for the purpose of preventing foreign matter from entering the blower.

It would have been further obvious at the time the invention was made to a person having ordinary skill in the art to provide the modified blower of Ness with an inlet member connected to the base and composed of a collar and a screen fixed to the collar, with the inlet member covering the first hole of the base, as taught by Emery, for the purpose of preventing foreign matter from entering the blower.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang is cited to show a blower with a motor attached thereto by lugs.

Kraus, Ikeda, Marty, Jenn, Pryne, Fuller, Cotton, Japanese Patent 4-208,347 and Japanese Patent 4-158,160 are cited to show various anti back flow valves.

Morrell is cited to show an anti back flow valve mounted to a lattice frame.

Takura and Shieh are cited to show blowers with motors cooled by inlet flow through the motor casing.

Armbruster, Allin, Galassi, Raguideau, and Zimmerman are cited to show blowers with various inlet screens.

Shero is cited to show a blower with a handle.

Trautloff is cited to show a stacking arrangement for blowers.

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Allowable Subject Matter


Claims 2 and 5-7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (703)-308-2638. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (703) 308-1044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.V.
August 30, 2004


Christopher Verdier
Primary Examiner
Art Unit 3745